

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

LINDY L. PAULL, SP 2013-MV-050 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit fence greater than 4.0 ft. in height to remain in front yard of a corner lot. Located at 6415 Potomac Ave., Alexandria, 22307, on approx. 15,118 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 93-2 ((8)) (37) 14, 14A and 15. (Admin. moved from 9/11/13 for notices.) Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 23, 2013; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The applicant has presented testimony showing compliance with the applicable standards.
3. This is a lot with three front yards because of the frontage on three streets.
4. The fence encloses what is the functional backyard for this house.
5. It has been explained about the need for privacy and security on this lot.
6. The sight distance issue referenced by the inspector has been addressed.
7. There does not seem to be a technical problem with the fence going out onto the outlot, as well.
8. There does not appear to be any opposition to it.
9. The fence appears to be well constructed and maintained.
10. It also appears to be lower than the fence on the other side of the alley in the photographs.
11. Whatever is going on with that, whether that fence is approved or not, it does not seem that this is out of line with what is going on in the neighborhood.
12. There are a lot of fences in New Alexandria that are taller than four feet. The Board is not sure all of those fences have been approved, but that seems to be consistent with the pattern.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

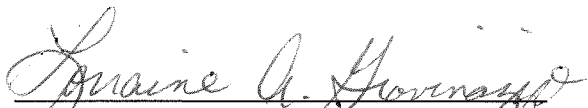
NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This special permit is approved for the location and maximum height of a 6.0 feet vinyl fence as shown on the plat prepared by Dominion Surveyors, dated June 3, 2013, submitted with this application and is not transferable to other land.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Beard seconded the motion, which carried by a vote of 7-0.

A Copy Teste:


Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals